

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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**DEBORAH STEINBERG, et al.,**

**Plaintiff,**

**v.**

**GREGORY WASIELEWSKI, et al.,**

**Defendants.**

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**Civil Action No. 09-1868(KSH)**

**ORDER**

This matter having come before the Court by way of motion to enforce litigants rights as a result of an alleged failure of a nonparty to appear for a deposition;

and the Court having reviewed the submission;

and the submission reflecting that the subpoena for the nonparty's appearance was issued out of the Central District of California and that it required an appearance in Santa Monica, California;

and this Court lacking jurisdiction to enforce this subpoena as it was issued from another court for production in another district, see Doe I v. Pauliewalnuts, Civ. No. 5:08MC00001, 2008 WL 4326473, at \*1 (W.D. Va. Sept. 19, 2008) (stating that “Rule 45(a)(2)(C) . . . commands that a subpoena for the production of documents alone ‘must issue’ from the “court for the district where the production is to be made . . .”; see also Wm T. Thompson, Co. v. General Nutrition, Corp., Inc., 671 F.2d 100 (3d Cir. 1982) (observing with approval that the party seeking enforcement of a subpoena obtained from another district moved to enforce it, “as that rule provides,” in the district from which the subpoena was obtained);

It is therefore on this 9th day of April, 2010

ORDERED that the motion that this Court enforce litigant's rights [Docket No. 13] is denied. Any request for relief concerning this subpoena shall be filed with the District Court that issued the subpoena.

s/Patty Shwartz

**UNITED STATES MAGISTRATE JUDGE**